

Draft: March 26, 2020 at 3:20 pm

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

WAIVER OF RIGHT TO BE PRESENT
AT CRIMINAL PROCEEDING

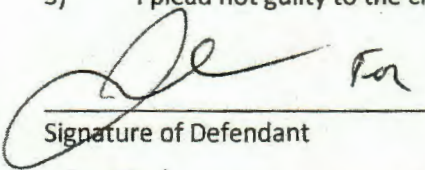
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MICHAEL KELLEHER Defendant.Check Proceeding that Applies☒ Arraignment

I have been given a copy of the indictment containing the charges against me and I have spoken with my attorney about those charges. My attorney has advised me that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the indictment; to have the indictment read aloud to me if I wish; and to enter a plea of either guilty or not guilty before the judge. I have discussed these issues with my attorney and wish to plead not guilty. By signing this document, I wish to advise the court of the following. I willingly give up my right to appear in a courtroom in the Southern District of New York to advise the court that:

- 1) I have received and reviewed a copy of the indictment.
- 2) I do not need the judge to read the indictment aloud to me.
- 3) I plead not guilty to the charges against me in the indictment.

Date:


 Signature of Defendant

John But For Kelleher
 Print Name
☐ Conference

I have been charged in an indictment with violations of federal law. I have spoken with my attorney about those charges. My attorney has advised me that I have a right to be present at all conferences concerning this indictment that are held by a judge in the Southern District of New York. I understand that at these conferences the judge may, among other things, 1) set a schedule for the case including the date at which the trial will be held, and 2) determine whether the time by which the trial must occur is properly excluded under the Speedy Trial Act. I have discussed these issues with my attorney and wish to give up my right to be present at the conferences. By signing this document, I wish to advise the court that I willingly give up my right to be present at the conferences in my case for the period of time in which access to the courthouse has been

restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to represent my interests at the proceedings even though I will not be present.

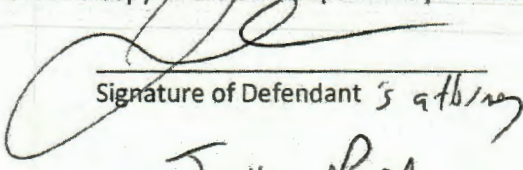
Date:

Signature of Defendant

Print Name

I hereby affirm that I have discussed with my client the charges against my client contained in the indictment, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held in my client's absence. I will inform my client of what transpires at the proceedings and provide my client with a copy of the transcript of the proceedings.

Date:



Signature of Defendant's attorney

John B. R.
Print Name

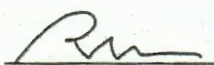
Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is: _____.

Date:

Signature of Defense Counsel

Accepted:



Signature of Judge

Date:

March 5, 2021